

Filed for intro on 03/08/95
Senate Bill _____
By _____

House No. HJR0135
By Buck

A RESOLUTION to propose Amendments to Article I, of the Constitution of Tennessee, for the exclusive purposes of establishing certain constitutional rights to which victims of crime are entitled; authorizing the general assembly to enact legislation to define, enforce, implement and protect such rights; and providing for safe prisons, the inspection of prisons and the humane treatment of prisoners.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, That a majority of all the members of each house concurring, as shown by the yeas and nays entered on their journals, that it is proposed that the Constitution of Tennessee be amended as follows:

(1) By adding the following language to Article I as a new section:

Section____. It is a right of all free peoples to be free of intimidation, crime and coercion and all free governments should promote those ends within the parameters of a free and constitutionally governed society. To promote those ends it is self-evident that victims of crime as defined by the General Assembly are vested with certain procedural rights and privileges. All violations of criminal law are violations against

the peace and dignity of all citizens of Tennessee, therefore, redress before the courts for those criminal violations is vested in the attorney for the state as provided by law, and all crime victims as provided by law are entitled to be treated with compassion, dignity and respect and are therefore, entitled to certain procedural rights and privileges as defined by the General Assembly; among those rights are:

1. The right to confer with the prosecution.
2. The right to be present at all proceedings where the defendant has a right to be present.
3. The right to be heard as provided by law at critical stages of the case.
4. The right to be informed as provided by law of all proceedings and of the release, transfer or escape of the accused or convicted person.
5. The right to restitution as provided by law.
6. The right to be informed of the rights afforded victims of crime.

(2) By deleting Article I, Section 32, in its entirety and substituting instead the following:

Section 32. That the erection of safe prisons, the inspection of prisons, and the humane treatment of prisoners, shall be provided for.

BE IT FURTHER RESOLVED, That the foregoing amendments be referred to the One Hundredth General Assembly, and that this resolution proposing such amendments be published by the secretary of state in accordance with the Constitution of Tennessee, Article XI, Section 3.

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